

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JAMES PLONSKER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 10 C 2740
	)	
CONTACT CENTERS OF AMERICA, LLC,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

James Plonsker ("Plonsker") sues Contact Centers of America, LLC ("Contact Centers"), invoking federal subject matter jurisdiction in diversity of citizenship terms. This sua sponte memorandum order is being issued contemporaneously with this Court's customary initial scheduling order to address two aspects of the Complaint.

To begin with, Complaint ¶3 identifies Contact Centers as a limited liability company. That being so, Plonsker's counsel has properly focused on the citizenship of Contact Centers' members rather than of the company itself (Complaint ¶¶4 through 6)--but because counsel has been compelled to assert the non-Illinois citizenship of Contact Centers' members only on information and belief (Complaint ¶5), this Court's obligation to police jurisdiction compels it to call on Contact Centers itself to provide the requisite actual facts in that regard. Accordingly Plonsker's counsel is ordered to transmit a copy of this memorandum order to Contact Centers at the same address where

process has been or is being served, and Contact Centers will be required to include that information as part of its Answer to the Complaint.

One other aspect of the Complaint invites some further inquiry. Complaint Ex. A is a June 9, 2009 document that is referred to throughout the Complaint as the "Letter Agreement" between the parties, but that document (a letter from Contact Center's President Joseph Jacoboni to Plonsker, who signed it as having been "Agreed and Accepted") states in its penultimate paragraph:

At present, it is contemplated that this letter of agreement with CCA will be replaced with a longer-term, more extensive agreement within ten days of your acceptance.

This Court expects to be apprised early on as to whether any such further document was executed and as to how the answer to that question may bear on the issues in this litigation.

A handwritten signature in black ink, reading "Milton I. Shadur", written over a horizontal line.

Milton I. Shadur  
Senior United States District Judge

Date: May 7, 2010